

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

AMICA MUTUAL INSURANCE  
COMPANY

Plaintiff

v.

EDWARD FOGEL and MAUREEN FOGEL  
Individually and as Guardians *Ad Litem* of  
Marcy Fogel and Carrie Fogel, and as  
Administrators of the Estate of Melissa Fogel

Defendants

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CIVIL CASE NO.: 1:09-CV-0674

JURY TRIAL DEMANDED

**PROPOSED ORDER APPROVING PARTIAL SETTLEMENT OF WRONGFUL DEATH  
AND SURVIVAL ACTION PROCEEDINGS REGARDING THE ESTATE OF MELISSA  
FOGEL AND PARTIAL COMPROMISE OF THE MINORS' ACTIONS**

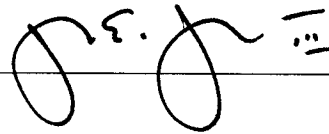
AND NOW this 31 day of October, 2011, upon consideration of the  
outstanding Petition for Partial Settlement of Survival and Wrongful Death Actions With  
Apportionment of Settlement Proceeds and Compromise of Minors' Action, said Petition is hereby  
approved and distribution shall occur as follows:

|   |  |                      |
|---|--|----------------------|
| <b>I. Estate of Melissa Fogel</b>       |  | <b>\$ 180,535.41</b> |
| <b>A. <u>WRONGFUL DEATH BENEFIT</u></b> |  | <b>\$ 126,374.78</b> |
| (1)                                     | 25% legal fees paid to<br>Leisawitz Heller Abramowitch Phillips, P.C.  | 31,593.70            |
| (2)                                     | Reimbursement of Costs Advanced<br>by Leisawitz Heller Abramowitch Phillips, P.C.  | <u>1,943.84</u>      |
| (3)                                     | Net proceeds to be paid to Edward Fogel and<br>Maureen Fogel, the sole intestate heirs with a<br>pecuniary interest in the Estate of Melissa Fogel | \$ 92,837.24         |

|           |   |                     |
|-----------|---|---------------------|
| <b>B.</b> | <b><u>SURVIVAL BENEFIT</u></b>  | <b>\$ 54,160.63</b> |
| (1)       | 25% legal fees paid to<br>Leisawitz Heller Abramowitch Philips, P.C.              | 13,540.16           |
| (2)       | Reimbursement of Costs Advanced<br>by Leisawitz Heller Abramowitch Phillips, P.C. | <u>833.08</u>       |
| (3)       | Net proceeds to be paid to the Estate of Melissa Fogel                            | \$ 39,787.39        |

|                         |   |                     |
|-------------------------|---|---------------------|
| <b>II. Edward Fogel</b> |   | <b>\$ 60,178.47</b> |
| (1)                     | 25% legal fees paid to<br>Leisawitz Heller Abramowitch Phillips, P.C.                 | 15,294.62           |
| (2)                     | 25% Reimbursement of Costs Advanced<br>by Leisawitz Heller Abramowitch Phillips, P.C. | <u>925.64</u>       |
| (2)                     | Net proceeds to be paid to Edward Fogel   | \$ 43,958.21        |

BY THE COURT:

  
J.

**\*\* Costs Advanced**

|  |                 |
|--|-----------------|
| <i>Computerized Legal Research</i>             | 300.00          |
| <i>Berks Court Reporting</i>                   |                 |
| <i>Depositions of Dan Henderickson and</i>     |                 |
| <i>Catherine Gualtieri</i>                     | 615.30          |
| <i>ERSA Court Reporters</i>                    |                 |
| <i>Depositions of Edward and Maureen Fogel</i> | 494.00          |
| <i>Middle District of PA – Filing Fee</i>      | 455.00          |
| <i>U.S. Express Printing – Binding Fee</i>     | 212.95          |
| <i>Postmaster – Large Package</i>              | 58.95           |
| <i>James DeCrescenzo Reporting</i>             |                 |
| <i>Transcript of Oral Argument</i>             | 405.00          |
| <i>Photocopies and Postage</i>                 | <u>1,161.36</u> |
|  | \$3,702.56      |